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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b> |  | ATTORNEY'S DOCKET NUMBER<br>449122077600                      |
| INTERNATIONAL APPLICATION NO.<br>PCT/DE03/01139   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>10/511,392 |
| INTERNATIONAL FILING DATE<br>April 7, 2003  |  | PRIORITY DATE CLAIMED<br>April 18, 2002                       |
| TITLE OF INVENTION      METHOD FOR ELECTRODYNAMICALLY BRAKING A RAIL VEHICLE  |  |   |
| APPLICANT(S) FOR DO/EO/US      Helmut KAHRS et al.  |  |   |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment. (Second)
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☒ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Marked-Up Specification

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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|---|---------------------|---|-------------|--|----------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br>10/511,392   |                     | INTERNATIONAL APPLICATION NO.<br>PCT/DE03/01139                               |             | ATTORNEY'S DOCKET NUMBER<br>449122077600 |          |
| 21. The following fees are submitted:   |                     |   |             |  |          |
| <input checked="" type="checkbox"/> a) Basic national fee .....   |                     |   |             | \$300.00                                 | \$       |
| <input checked="" type="checkbox"/> b) Examination fee .....  |                     |   |             | \$200.00                                 | \$       |
| <input checked="" type="checkbox"/> c) Search fee .....   |                     |   |             | \$500.00                                 | \$       |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                     |   |             | <b>\$1000.00</b>                         | \$       |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |                     |   |             |  |          |
| Total Sheets  | Extra sheets        | Number of each additional 50 or fraction thereof (round up to a whole number) |             | RATE                                     |          |
| - 100 =   | /50 =               |   |             | x \$250.00                               |          |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).   |                     |   |             | \$                                       |          |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b>   | <b>RATE</b> |  |          |
| Total claims  | 9 -20 =             | 0   | X           | \$                                       | 00.00    |
| Independent claims  | 1 -3 =              | 0   | x           | \$                                       | 00.00    |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable)   |                     |   | +           | \$                                       |          |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                     |   |             | \$ 00.00                                 |          |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |                     |   |             |  |          |
| <b>SUBTOTAL =</b>   |                     |   |             | \$ 00.00                                 |          |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).  |                     |   |             | +  | \$ 00.00 |
| <b>TOTAL NATIONAL FEE =</b>   |                     |   |             | \$ 00.00                                 |          |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |                     |   |             | +  | \$       |
| <b>TOTAL FEES ENCLOSED =</b>  |                     |   |             | \$ 00.00                                 |          |
|   |                     |   |             | Amount to be refunded:                   | \$       |
|   |                     |   |             | Amount to be charged:                    | \$00.00  |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 03-1952 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1952. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> |                     |   |             |  |          |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.437 (a) or (b)) must be filed and granted to restore the International Application to pending status.   |                     |   |             |  |          |
| SEND ALL CORRESPONDENCE TO:   |                     |   |             |  |          |
| Kevin R. Spivak<br>Morrison & Foerster, LLP<br>1650 Tysons Boulevard<br>McLean, VA 22102<br>CUSTOMER NUMBER:<br><b>25227</b>  |                     |   |             |  |          |
|   |                     |   |             | SIGNATURE: Kevin R. Spivak               |          |
|   |                     |   |             | NAME                                     |          |
|   |                     |   |             | 43.148                                   |          |
|   |                     |   |             | REGISTRATION NUMBER                      |          |